

Attorney Docket No. P13780-US1  
Customer Number 27045

### **REMARKS/ARGUMENTS**

#### **1.) Claim Amendments**

Claims 1-45 are pending in the application. The Applicants have amended claim 11. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

#### **2.) Allowable Subject Matter**

The Applicants gratefully acknowledge the allowance of claims 1-6 and 14-45.

#### **3.) Claim Rejections – 35 U.S.C. § 102(b)**

In paragraph 1 of the Office Action, the Examiner rejected claims 7-13 under 35 U.S.C. § 102(b) as being anticipated by Zehavi (US 6,414,728). The Applicants respectfully disagree.

Regarding independent claims 7 and 11, the Examiner points to FIG. 1 of Zehavi and the associated description in column 4 for disclosing the claimed invention. As noted by the Examiner, the output of exclusive-OR gate 110 is combined with the output of PN<sub>i</sub> generator 118 to form the I-channel code spreading sequence 122. The Examiner equates this to the claimed limitation "combining the first scrambling code sequence and the pseudo-random sequence generated to form a second scrambling code sequence." However, this is clearly not the case because the result in Zehavi is a channel code spreading sequence, not a second scrambling code sequence.

In CDMA, a spreading sequence is formed by combining a channelization sequence and a pseudo-noise scrambling sequence. Multiple channelization code trees are distinguished by their scrambling codes. The claimed invention spreads physical channels using partly orthogonal multiple code trees. A first code tree is a combination of a channelization code sequence and a first scrambling code sequence. A portion of the first code tree is used to spread a portion of the physical channels. A portion of a second code tree is used to spread the remaining physical channels that were not spread using the first code tree. The second code tree is a combination of the channelization code sequence and a second scrambling code sequence formed by

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modifying the first scrambling code sequence. Claims 7 and 11 recite a method and scrambling code sequence generator for combining the first scrambling code sequence and a pseudo-random sequence to form the second scrambling code sequence. Zehavi's disclosure of the formation of a channel code spreading sequence does not teach or suggest the claimed invention for forming a second scrambling code sequence. Claim 11 has been amended to clarify that the means for combining the first scrambling code sequence and the generated pseudo-random sequence results in the formation of a second scrambling code sequence. Therefore, the allowance of claims 7 and 11 is respectfully requested.

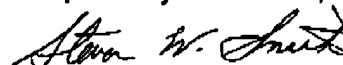
Claims 8-10 depend from amended claim 7 and recite further limitations in combination with the novel elements of claim 7. Claims 12 and 13 depend from amended claim 11 and recite further limitations in combination with the novel elements of claim 11. Therefore, the allowance of claims 8-10, 12, and 13 is respectfully requested.

### CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-45.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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